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WEITERE INFORMATIONEN OK

An unending variety of topics

Thursday, November 05, 2009

Commencing a history of Roman political and legal institutions

Most modern governments have political structures and legal procedures derived in a long evolution from those of the ancient Roman emperors, with a shallow overlay of modern democracy. The main exceptions, the Anglo-American countries, have legal procedures derived primarily from a partially independent evolution in England, but still with substantial influences from the old Roman autocrats. Political ideas and legal procedures are closely related, and versions of these derived from the Roman Empire have dominated most of European history.

I have started writing a history of this legal and political tradition. It starts with the Year of the Five Emperors, the rise of the Severan dynasty, and under that dynasty the first two major jurists (legal authorities) in the later Roman legal tradition, Papinian and Ulpian. It continues through the famous Codes of the emperor Justinian (as compiled by his jurist Tribonian), to the birth of universities in Western Europe upon the rediscovery of Justinian's codes, through the political philosophies of Bodin and Hobbes, to the Reception of Roman law into Western Europe, to the Code Napoleon, the German and Russian legal codes, and modern dictatorships based on the political and legal ideas of Rome. This will be a sprawling history and indeed I will probably never finish it. But meanwhile I will post a good bit of it to this blog, starting with the next post. I expect to proceed largely in temporal order, but no guarantees. Quite a few of my blog posts over the next two years may be part of this series. It should be quite enjoyable as well as provide unique insights into the history of political forms and constitutions.

Posted by Nick Szabo at 10:22 PM

7 comments:

TGGP said...

Quite a few of my blog posts over the next two years may be part of this series
You really plan out your blogging in advance!

9:30 AM

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About Me

Nick Szabo

"A premier thinker about history, law and economics, and the lessons they have for security." -- Adam Shostack, Emergent Chaos

"Szabo comes out with these essays that leave me in awe." -- Brian Dunbar

"Reading material that is eclectic, challenging and endlessly fascinating." -- Sean McGrath, Propylon

"Like most blogs worth my attention, this blog is updated only infrequently. That is because the authors of blogs worth my attention only post when they have something to say that is true, relevant and not already known by their audience. Most of the human race does not have the skill to know when an idea has these three properties. The skill is particularly rare in the fields of politics and economics, which is why this blog is such a rare and valuable thing." -- Richard Hollerith

View my complete profile

nick said...

Well, keep in mind that I have legal schooling and I said "may", not "will". :-) As it happens, I've already read a large amount of material on this subject over many years, so I have much I could blog about but it's very disorganized. How much I blog about it will depend on the continuing interest of myself and readers. By all means let me know your interests, albeit since you're not paying me mine take priority. :-)

10:54 AM

nick said...

BTW, off the top of my head, here are some other things I could post about over the next year if there's interest (let me know, and I also take requests, although I often don't do anything about them :-)

* Various bits of very interesting (to me, anyway) and important English economic or legal history during the colonial and industrial revolution eras.

* Ditto for medieval Western Europe.

* Law as digital code: smart contracts, secure property titles, scarce objects, proplets, digital bearer instruments, etc.

* Mental transaction costs (relevant to micropayments, GUI design, branding, etc.)

* The concurrency-centric programming language I am designing (not simply grafting concurrency onto a functional or sequential language, but making events and temporal relations the core of the language, with everything else grafted on).

* More about various scientific or futuristic topics: the origin of life, evolution of man, astronomy, SETI, NASA, etc. Basically wherein I bash futurists while indulging in it myself.

* More slamming economists who treat coercive transactions as if they were voluntary (I've probably done enough of this, but it does generate nice debate).

* Bash political scientists or sociologists (they deserve it more than economists, but I'm more familiar with economics, so I probably won't go here).

11:51 AM

Alrenous said...

* Overall, my most burning interest here is legal history. I particularly want to hear more about how the Saxons did it. Next on the list is Roman ideas; I hear a lot about common law versus Roman law, but couldn't locate the juncture with two hands and a map on HUD.

I also tend to find these most relevant. At the end, I keep going, "Oh so that's why we do X."

* Economic history beyond the 1900s is pretty close. I'm sure I could find it elsewhere - but damned if I know where. And why would I do all that research when you've already done it and like writing about it?

* On digital law, I think you can sum it up as; "It's a good idea, if you're going to build one, you should come talk to me about it."

Otherwise I go, "Well yes, definitely makes sense. So what?"

* You're the one who stopped me abstracting away mental costs, but I'm not sure what else I can learn about it, except interesting

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edge cases.

* Slamming economists for debate is probably a good idea - it makes your readers feel more engaged to debate, or something like that.
Plus I'm totally going to wade into this arena and start swingin' at some point here.

* I don't know anything about design issues in computer science, so I'd love to hear about that, although it might be tough for me to understand unless you sling it low level.

* Indulgent bashing is, I think, something you do to keep your interest in blogging. Therefore, you should do it as it results in more posts overall, regardless of whether the rant in question is nifty. Just don't overindulge. :-)

And hey! It might be interesting, which means bonus!

12:53 PM

nick said...

Alrenous, thanks, that's great feedback.

> Economic history beyond the 1900s

Do you mean before the 1900s here, or after?

4:52 PM

Alrenous said...

Right, oops.

I mean before 1900s. I seem to have at least some grasp of history after 1900, plus there's an awful lot of political water-muddying, whereas pre-1900s history is scarce to the point of nonexistence in my life so far.

12:47 PM

Felix said...

I'd really be interested if you would post some material on the extent of common law on continental Europe

my impression is that Roman law took comparatively late in the middle ages and that norman/ feudal Europe had a common law sort of approach

1:11 AM

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